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SANTA ROSA COI.JNTY
BUILDING CODE BOARD OF ADJUSTMENTS AND APPEALS
MEETING MINUTES
April 8,2015

The regular meeting of the Santa Rosa County Building Code Board of Adjustments and Appeals was held Wednesday, April 8, 2015 at 2:30 p.m. in the conference room of the Santa Rosa County Building Inspection Department located at 6051 Old Bagdad Highway, Milton, FL32583. Board members present were Mark Cotton, Vice Chairman, William "Billy" Mayne,Jr., Gary Mooneyham, Stephen Reyes and Sam Vickers.

Santa Rosa County Development Services staff in attendance was Rhonda Royals, Building Official, RandyJones, Code Compliance Supervisor and Bobby Burkett, Compliance Investigator.

Meeting attendees included Roy Andrews, Santa Rosa County Attomey and Tony Gomillion, Public Serrices Director.

A court reporter was not present for the meering.

This meeting was recorded via cassette, but not transctibed by a court reporter.

Mark Cotton, Vice Chairman, called the meeting to order at 2:27 p.m.

Approval of Agenda

Sam Vickers made a motion to accept the agenda as presented; Gary Mooneyham seconded the motion. The motion carried without obiection.

Next Meetings

The next regulary scheduled meeting is Wednesday, May 13, 2015, at 2:30 p.m. in the Santa Rosa County Development Service Center Media Room.

Approval of Minutes

Sam Vickers made a motion to approve the minutes from the November 12, 2015 meeting as presented; Gary Mooneyham seconded the motion. The motion carried without objection.

General Discussion

Rhonda Royals provided a brief summary of procedures and expectations of the board, motions, seconding a motion, discussion of the motion, and also the requirements of the case complainant, the contractor and any witnesses.

New Business

* Mindy B Flores vs. David Mayo d/b/a Mayo Construcrion & Design, Inc.,license RR0067692, Registered Residential contractor.

Both Ms. Flores and Mr. Mayo were in attendance.

Randy Jones provided a brief summary of the case stating that he first spoke to Ms Flores in Novembet 2014. He went to the jobsite and discovered several code violations that were corrected by Mr. Mayo within a few days. There were several revisions that needed to get to the dtawings; Mr. Mayo provided those from his engineer. The trvo specific charges of the otdjnance ate:

1., 2006-38: Section 5, Item 1 (d) - Willful or deliberate disregard and violation of the applicable building codes or laws of the state or any municipalities or counodes theteof for failure to include statement notiffing customer of construction recovery fund as required by Chapter 489.1425, Flodda Statues. (Bold pdnt is the specific section that pertains to this case)

There was no signed contract, only a proposaf which wasn't inclusive of everything. The scope of work based on his understanding, changed and evolved as the job progressed. It was basica\ a "Cost Plus" job. There was a \$10,000 confactor fee, that the contractor said was reduced to \$8,500.

2. 2006-38l. Section 5, Item 1 O.) - Upon proof that the licensee i. g"tlty of ftaud or deceit ot of gross negligence, incompetency, or misconduct in the ptactice of conttacting as outlined in background infonnation below. @old print is the specific section that pertains to this case)

Randy stated that specifcldy, on this second charge, it alleged that Mr. Mayo has billed fot items fot which Ms Flores alrcady paid and that Mr. Mayo is also billing het fot apparent conections of building code violations.

A lien has been filed by Mr. Mayo; validity of lien has yet to be determined.

Mindy Flores spoke next. She started with items and statements that she disputed; she said what was asked for differed from what was received. She doesn't know if anything was propedy installed; she didn't believe so based on the visuals. Items thrter.e being fixed/installed ptotetly, she is being charged additiond for. The timeline of the project has gone way beyond what it was supposed to; it was meant to be a 12 week project and it's now over Lyear later with wotk still needing to be done. The Board asked questions of Ms Flores and Randy with a discussion ensuing.

David Mayo spoke. He told his story of how projects were added as the job went along; items that weren't on the original estimate and products/supplies that he was to install wete substandatd. He said that he believes he has done all he can for Ms Flores. Mr. Mayo said he gave up a portion of his contractor fee, down from \$19k to \$12k, to enable him to pay his confactors that had completed work at her home. He says he still owes A/C and Plumbing coftractors. He stated that all he was tffmg to collect from her was the money that he spent and the money that he owed to these conttactors.

The Boatd asked quesdons of Mt. Mayo and a discussion ensued.

Mr. Andrews asked David Mayo if he furnished a statement notifring Ms Flotes of the Construction Recovery Fund as required by Chaptet 489.7425 of the Florida statue. David Mayo said that he did not furnish Ms Flores the statement.

Brandon Mayo, David's Son, approached the podium. He said he would talk about some things (dates/dollar amounts) from the "bookkeeping2' aspect. He said that Ms Flores had stated that the complaint had been filed prior to the lien, which wasn't coffect. The lien was filed on December 9 '14; she filed the complainl on December22'74. Lien was filed after multiple attempts to negotiate the price so that subs could be paid. Boyd Plumbing and Commandet Air are still owed monies.

Ms Flores had a rebuttal which consisted mainly of the incompetence and workmanship of the confactor. Brandon Mayo spoke again with a quick rebuttal. Discussion amongst the Board commenced.

Stephen Reyes filed a motion of probable cause on Item 1,2006-38: Section 5r Item 1(d); Sam Vickers seconded. There was discussion amongst the Board. The motion passed with four approvals and one (Cotton) opposed.
Stephen Reyes filed a motion of probable cause on Item 2,2006-38: Section 5, Item 1(k); Sam Vickers seconded. The motion passed with three approvals and two (M.yo. & Cotton) opposed.
The meeting was adjourned at 3:57 p.m.

Prepared by Robyn Kverton
Santa Rosa County Development Services
Compliance Division, Board Secretary